



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/809,432

03/26/2004

Nobukata Okano

SON-2981

8124

23353 7590 02/09/2009
RADER FISHMAN & GRAUER PLLC
LION BUILDING
1233 20TH STREET N.W., SUITE 501
WASHINGTON, DC 20036

EXAMINER

KIM, DAVID S

ART UNIT

PAPER NUMBER

2613

MAIL DATE

DELIVERY MODE

02/09/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Art Unit: 2613

REQUEST FOR RECONSIDERATION/OTHER

11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because:

REJECTIONS UNDER 35 U.S.C. 103

Applicant's arguments filed on 21 January 2009 have been fully considered but they are not persuasive. Applicant presents fourteen salient points.

Regarding the first point, Applicant states:

Thus, Figure 5 of Dowling fails to teach a communication system wherein said information-transmitting unit has light sources, a light beam from one of said light sources being emitted independent of a light beam from another of said light sources.

(REMARKS, p. 9, 1st paragraph, emphasis Applicant's).

Examiner respectfully notes that the standing rejections **already** recognize this point. Accordingly, the standing rejections apply suitable teachings from Hiramatsu to address this point. Therefore, this point is not persuasive.

Regarding the second point, Applicant states:

Thus, Figure 7 of Dowling fails to teach a communication system wherein said information-transmitting unit has light sources, a light beam from one of said light sources being emitted independent of a light beam from another of said light sources.

(REMARKS, p. 10, middle paragraph, emphasis Applicant's).

Examiner respectfully notes that the standing rejections **already** recognize this point. Accordingly, the standing rejections apply suitable teachings from Hiramatsu to address this point. Therefore, this point is not persuasive.

Regarding the third point, Applicant states:

However, Hiramatsu fails to disclose, teach, or suggest a communications system wherein said information-transmitting unit is mounted on an illumination light source.

(REMARKS, p. 11, 1st paragraph, emphasis Applicant's).

Art Unit: 2613

Examiner respectfully notes that the standing rejections do not rely on Hiramatsu to address this limitation. Rather, this limitation is **already** addressed by teachings from the primary reference of Dowling. That is, notice the mounting of module 716 onto base 702 in Fig. 7. Module 716 is an output device that may emit an optical signal (p. 45, l. 17-19). Base 702 may be an illumination light source (p. 44, l. 17-21). Therefore, this point is not persuasive.

Regarding the fourth point, Applicant states:

Combination of Dowling and Hiramatsu – Hiramatsu **fails** to disclose, teach, or suggest any of the transmitter-receivers 114 through 116 being mounted on an illumination light source (Hiramatsu at Figure 1).

(REMARKS, p. 11, 2nd paragraph, emphasis Applicant's).

Examiner respectfully notes that the standing rejections do **not** rely on transmitter-receivers 114-116. Rather, they rely on *multi-beam transmitter 102* in Fig. 1 of Hiramatsu. Accordingly, any argument built on this irrelevant assertion is not persuasive. Additionally, as noted, in the third point above, the limitation of “being mounted on an illumination light source” is **already** addressed by teachings from the primary reference of Dowling. Therefore, this point is not persuasive.

Regarding the fifth point, Applicant states:

Here, Dowling **fails** to disclose, teach, or suggest element 132 as being mounted on an illumination light source (Dowling at Figure 5).

(REMARKS, p. 11, 6th paragraph, emphasis Applicant's).

Examiner respectfully notes that this point is misdirected. That is, the standing rejections point out that 132 **is** an “illumination light source” of the claims (e.g., claims 24 and 29). The claim language does not mount an illumination light source (Dowling, 132 in Fig. 5, 702 in Fig. 7) onto *another* illumination light source. Thus, illumination light source 132 would not be required to be mounted on *another* illumination light source in order to read on the claim language. Therefore, the standing rejection does not mount illumination 132 on *another* illumination light source. Accordingly, this point is not persuasive.

Regarding the sixth point, Applicant states:

Likewise, Dowling **fails** to disclose, teach, or suggest the fourth module 716 as being controllable by a signal (Dowling at Figure 7).

(REMARKS, p. 11, 7th paragraph, emphasis Applicant's).

Art Unit: 2613

Examiner respectfully notes that this point relies on a feature (i.e., "being controllable by a signal") that is not actually in the claims. Accordingly, this point is not persuasive.

Regarding the seventh point, Applicant states:

Thus, the Office Action fails to provide any objective evidence to explain why the skilled artisan would have been motivated to modify the lighting subsystem 130 of Dowling by replacing element 132 of Dowling with the fourth module 716.

(REMARKS, p. 11, 8th paragraph, emphasis Applicant's).

Examiner respectfully notes that this point is misdirected. The standing rejection does **not** replace element 132 with module 716. Accordingly, this point is not persuasive.

Rather, the standing rejection directs attention to the embodiment of Fig. 7 to show the correlation of illumination light source 132 with illumination light source 702 and to show the correlation of the optical signal emitter 136 with optical signal emitter 716 in the particular configuration of an optical signal emitter mounted on an illumination light source (Dowling, 716 mounted on 702).

Regarding the eighth point, Applicant states:

Hiramatsu arguably teaches the presence of a portable terminal 110 (Hiramatsu at column 5, line 46).

Nevertheless, Hiramatsu fails to disclose, teach, or suggest the portable terminal 110 being mounted on an illumination light source (Hiramatsu at Figure 1). Likewise, Hiramatsu fails to disclose, teach, or suggest the card-type transmitter-receiver unit 114 being mounted on an illumination light source (Hiramatsu at Figure 1).

Dowling fails to disclose, teach, or suggest the fourth module 716 as being a portable terminal 110 (Hiramatsu at Figure 1).

As a consequence, the Office Action fails to provide any objective evidence to explain why the skilled artisan would have been motivated to modify the modular subsystem 700 of Dowling by replacing the fourth module 716 of Dowling with the portable terminal 110 or card-type transmitter-receiver unit 114 of Hiramatsu.

Hiramatsu arguably teaches the presence of a computer 111 (Hiramatsu at column 5, line 46).

Nevertheless, Hiramatsu fails to disclose, teach, or suggest the computer 111 being mounted on an illumination light source (Hiramatsu at Figure 1). Likewise, Hiramatsu fails to disclose, teach, or suggest the card-type transmitter-receiver unit 115 being mounted on an illumination light source (Hiramatsu at Figure 1).

Dowling fails to disclose, teach, or suggest the fourth module 716 as being a computer 111 (Hiramatsu at Figure 1).

As a consequence, the Office Action fails to provide any objective evidence to explain why the skilled artisan would have been motivated to modify the modular subsystem 700 of Dowling by replacing the fourth module 716 of Dowling with the computer 111 or card-type transmitter-receiver unit 115 of Hiramatsu.

Hiramatsu arguably teaches the presence of a printer 112 (Hiramatsu at column 5, line 46).

Art Unit: 2613

Nevertheless, Hiramatsu fails to disclose, teach, or suggest the printer 112 being mounted on an illumination light source (Hiramatsu at Figure 1). Likewise, Hiramatsu fails to disclose, teach, or suggest the card-type transmitter-receiver unit 116 being mounted on an illumination light source (Hiramatsu at Figure 1).

Dowling fails to disclose, teach, or suggest the fourth module 716 as being a printer 112 (Hiramatsu at Figure 1).

As a consequence, the Office Action fails to provide any objective evidence to explain why the skilled artisan would have been motivated to modify the modular subsystem 700 of Dowling by replacing the fourth module 716 of Dowling with the printer 112 card-type transmitter-receiver unit 116 of Hiramatsu.

(REMARKS, p. 11, 3rd to last paragraph – p. 12, 2nd to last paragraph, emphasis Applicant's).

Examiner respectfully notes that the standing rejections do **not** rely on any of: portable terminal 110 or transmitter-receiver 114 or computer 111 or transmitter-receiver 115 or printer 112. Accordingly, any arguments built on these irrelevant assertions are not persuasive. Therefore, this point is not persuasive.

Regarding the ninth point, Applicant states:

Thus, Brooks fails to teach a communication system wherein said information-transmitting unit has light sources, a light beam from one of said light sources being emitted independent of a light beam from another of said light sources.

(REMARKS, p. 13, 3rd paragraph, emphasis Applicant's).

Examiner respectfully notes that the standing rejections do not rely on Brooks to address this limitation.

Rather, this limitation is addressed by teachings from Hiramatsu. Therefore, this point is not persuasive.

Regarding the tenth point, Applicant states:

Leeb, Newton, Ramaswami and Service - Leeb, Newton, Ramaswami and Service either individually or as a whole, fail to disclose, teach, or suggest a communications system wherein said information-transmitting unit is mounted on an illumination light source.

Moreover, Leeb, Newton, Ramaswami and Service either individually or as a whole, fail to disclose, teach, or suggest a communications system wherein said information-transmitting unit is mounted on an illumination light source.

(REMARKS, p. 13, 4th and 5th paragraphs, emphasis Applicant's).

Examiner respectfully notes that the standing rejections do not rely on Leeb, Newton, Ramaswami and Service to address this limitation. Rather, this limitation is addressed by teachings from the embodiment of Fig. 7 of Dowling. Therefore, this point is not persuasive.

Regarding the eleventh point, Applicant states:

Thus, Dowling fails to teach a communication system wherein said information-transmitting unit has light sources, a light beam from one of said light sources being emitted independent of a light beam from another of said light sources.

Art Unit: 2613

(REMARKS, p. 15, 3rd paragraph, emphasis Applicant's).

Examiner respectfully notes that the standing rejections **already** recognize this point. Accordingly, the standing rejections apply suitable teachings from Hiramatsu to address this point. Therefore, this point is not persuasive.

Regarding the twelfth point, Applicant states:

Thus, Dowling fails to teach a communication system wherein said information-transmitting unit includes a recording medium and a reading section, said reading section being adapted to read information stored in said recording medium.

(REMARKS, p. 15, 5th paragraph, emphasis Applicant's).

Examiner respectfully notes that the standing rejections address the limitations of the recording medium and the reading section in the following way (see the treatment of claim 29 in the Final Rejection mailed on 19 December 2008):

wherein said information-transmitting unit includes a recording medium (Dowling, memory 150 in Fig. 5) and a reading section (Dowling, processor 140),
said reading section being adapted to read information stored in said recording medium
(Dowling, notice the interaction between processor 140 and memory 150).

Applicant's point does not address the merits of this treatment of these limitations. Accordingly, this point is not persuasive.

Regarding the thirteenth point, Applicant states:

Thus, Dowling fails to teach a communication system having said recording medium being removable from said information-transmitting unit.

(REMARKS, p. 15, 7th paragraph, emphasis Applicant's).

Examiner respectfully notes that the standing rejections **already** recognize this point. Accordingly, the standing rejections apply suitable teachings from Newton to address this point. Therefore, this point is not persuasive.

Regarding the fourteenth point, Applicant states:

Newton - Newton fails to teach a communication system wherein said information-transmitting unit has light sources, a light beam from one of said light sources being emitted independent of a light beam from another of said light sources.

Art Unit: 2613

(REMARKS, p. 15, 8th paragraph, emphasis Applicant's).

Examiner respectfully notes that the standing rejections do not rely on Newton to address this limitation.

Rather, this limitation is addressed by teachings from Hiramatsu. That is, notice the independent sources of 102 in Fig. 1 of Hiramatsu. Therefore, this point is not persuasive.

Summarily, Applicant's arguments are not persuasive. Accordingly, Examiner respectfully maintains the standing rejections.

13. Other:

CLAIM OBJECTIONS

Applicant's response to the objection to **claim 41** in the previous Office Action (mailed on 19 December 2009) is noted and appreciated. Applicant responded by amending the claim. Applicant's response overcomes the previous objection, which is presently withdrawn.